

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chair Jeff Essmann, on February 6, 2015 at 8:00 AM, in Room 455  
Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Jeff Essmann, Chair (R)  
Rep. Bill Harris, Vice Chair (R)  
Rep. Casey Schreiner, Vice Chair (D)  
Rep. Bryce Bennett (D)  
Rep. Bob Brown (R)  
Rep. Moffie Funk (D)  
Rep. Frank Garner (R)  
Rep. Edward Greef (R)  
Rep. Denise Hayman (D)  
Rep. Jessica Karjala (D)  
Rep. Austin Knudsen (R)  
Rep. Debra Lamm (R)  
Rep. Forrest Mandeville (R)  
Rep. Wendy McKamey (R)  
Rep. Dale Mortensen (R)  
Rep. Jean Price (D)  
Rep. Kathy Swanson (D)  
Rep. Susan Webber (D)

##### **Members Excused:**

Rep. Ray L. Shaw (R)  
Rep. Art Wittich (R)

**Members Absent:** None

**Staff Present:** Jennifer Petersen, Committee Secretary  
Sheri Scurr, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 58, 1/30/2015; SB 65, 1/30/2015

00:00:01 Chair Essmann

**HEARING ON SB 65**

**Opening Statement by Sponsor:**

00:01:21 Sen. Robyn Driscoll (D), SD 25, opened the hearing on SB 65, Code  
Commissioner Bill.

**Proponents' Testimony:**

00:01:58 Todd Everts, Director, Legal Services Office (LSO)

00:03:32 Chair Essman

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:04:07 Chair Essmann

00:04:17 Todd Everts, LSO

**Closing by Sponsor:**

00:05:00 Sen. Driscoll

00:05:13 Chair Essmann

**HEARING ON HB 58**

**Opening Statement by Sponsor:**

00:05:42 Rep. Geraldine Custer (R), HD 39, opened the hearing on HB 58, Generally  
revise election laws.

**EXHIBIT(sth27a01)**

00:08:28 Chair Essmann

**Proponents' Testimony:**

00:08:40 Lisa Kimmet, Elections and Government Services Deputy, Office of the  
Secretary of State (SOS)

00:21:43 Linda Stoll, Montana Association of Clerks and Records and Election  
Administrators (MACREA)

00:22:20 Chair Essmann

00:22:27 Bob Vogel, Montana School Boards Association (MTSBA)

00:23:36 Denise Williams, Montana Association of School Business Officials (MASBO)

00:24:01 Chair Essmann

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:24:29 Rep. Garner  
 00:25:06 Lisa Kimmet, SOS  
 00:26:22 Rep. B. Brown  
 00:26:49 Rep. Custer  
 00:27:20 Rep. B. Brown  
 00:27:34 Rep. Custer  
 00:27:38 Rep. B. Brown  
 00:28:22 Rep. Custer  
 00:29:02 Rep. Harris  
 00:29:27 Lisa Kimmet, SOS  
 00:30:14 Rep. Mandeville  
 00:31:04 Lisa Kimmet, SOS  
 00:32:00 Rep. Mandeville  
 00:32:30 Lisa Kimmet, SOS  
 00:33:32 Rep. Funk  
 00:33:42 Chair Essmann

**Closing by Sponsor:**

00:34:02 Rep. Custer  
  
 00:36:21 Chair Essmann  
 00:36:32 Rep. Funk  
 00:36:50 Chair Essmann, Recess  
 00:51:49 Chair Essmann, Reconvene

**EXECUTIVE ACTION ON HB 220**

00:52:15 **Motion:** Rep. Harris moved that **HB 220 DO PASS.**

00:52:23 Chair Essmann  
 00:52:32 *Rep. Shaw arrives*

00:53:33 **Motion:** Rep. Essmann moved that **HB 220 BE AMENDED.**  
[\*\*EXHIBIT\*\*](#)(sth27a02)

00:55:28 Chair Essmann

00:55:35 **Vote:** Motion carried 13-7 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner and Rep. Swanson voting no. Rep. Wittich voted by proxy.

00:57:13 **Motion:** Rep. Essmann moved that **HB 220 BE AMENDED.**  
[\*\*EXHIBIT\*\*](#)(sth27a03)

00:58:22 Rep. Funk  
 00:58:43 Chair Essmann

00:59:03 **Vote:** Motion carried unanimously by roll call vote. Rep. Wittich voted by proxy.

01:00:24 **Motion/Vote:** Rep. Essmann moved that **HB 220 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

[EXHIBIT](#)(sth27a04)

01:01:05 **Motion/Vote:** Rep. Essmann moved that **HB 220 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

[EXHIBIT](#)(sth27a05)

01:02:20 **Motion:** Rep. Harris moved that **HB 220 DO PASS AS AMENDED**.

**Discussion:**

01:02:36 Rep. B. Bennett

01:03:38 Rep. Greef

01:04:03 Chair Essmann

01:05:05 Sheri Scurr, Legislative Services Division (LSD)

01:05:49 Rep. Price

01:06:13 Chair Essmann

01:06:54 Rep. Hayman

01:08:57 Rep. Schreiner

01:11:02 Rep. Mandeville

01:11:59 Rep. Garner

01:12:53 Chair Essmann

01:13:36 **Vote:** Motion failed 6-14 by roll call vote with Rep. Essmann, Rep. Knudsen, Rep. Lamm, Rep. Mandeville, Rep. McKamey and Rep. Mortensen voting aye. Rep. Wittich voted by proxy.

01:15:25 **Motion/Vote:** Rep. Garner moved that **HB 220 BE TABLED**. Motion carried 19-0 by voice vote.

**EXECUTIVE ACTION ON HB 231**

01:16:17 Sheri Scurr, LSD

01:16:43 Chair Essmann

01:17:01 **Motion:** Rep. Harris moved that **HB 231 DO PASS**.

01:17:21 **Motion:** Rep. Schreiner moved that **HB 231 BE AMENDED**.

[EXHIBIT](#)(sth27a06)

01:17:56 Sheri Scurr, LSD

01:18:37 Chair Essmann

01:18:45 Sheri Scurr, LSD

01:19:02 Chair Essmann

01:19:05 Rep. Schreiner

01:19:22 **Vote:** Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

01:19:47     **Motion:** Rep. Schreiner moved that **HB 231 DO PASS AS AMENDED.**

**Discussion:**

01:19:58     Rep. Garner

01:20:10     Chair Essmann

01:20:38     Rep. McKamey

01:20:59     **Vote:** Motion failed 9-11 by roll call vote with Rep. Bennett, Rep. Essmann, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting aye. Rep. Wittich voted by proxy.

01:22:30     **Motion/Vote:** Rep. McKamey moved that **HB 231 BE TABLED.** Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

**EXECUTIVE ACTION ON HB 247**

01:23:52     Sheri Scurr, LSD

01:24:15     **Motion:** Rep. Harris moved that **HB 247 DO PASS.**

**Discussion:**

01:24:23     Rep. B. Brown

01:24:55     Rep. Garner

01:25:53     Rep. Lamm

01:26:21     Rep. B. Bennett

01:28:00     Rep. Funk

01:29:06     Rep. Price

01:29:17     Rep. Greef

01:30:09     Rep. McKamey

01:30:31     Rep. Shaw

01:31:33     Rep. Garner

01:32:48     Rep. Karjala

01:33:52     Rep. Schreiner

01:35:23     Rep. Harris

01:36:48     **Vote:** Motion failed 10-10 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Greef, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Shaw, Rep. Swanson and Rep. Webber voting aye. Rep. Wittich voted by proxy.

01:38:17     **Motion/Vote:** Rep. Garner moved that **HB 247 BE TABLED.** Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

**EXECUTIVE ACTION ON HB 331**

01:39:16     Sheri Scurr, LSD

01:39:54     Chair Essmann

01:39:58     **Motion:** Rep. Harris moved that **HB 331 DO PASS.**

01:40:07 Rep. Schreiner  
 01:40:42 Rep. B. Brown  
 01:41:21 Rep. Harris  
 01:41:57 Chair Essmann  
 01:42:22 Rep. Mandeville

01:42:39 **Vote:** Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

**EXECUTIVE ACTION ON HB 342**

01:43:28 Sheri Scurr, LSD  
 01:43:58 Chair Essmann  
 01:44:05 Rep. B. Bennett  
 01:45:40 Rep. Mandeville  
 01:46:08 Chair Essmann  
 01:46:22 Sheri Scurr, LSD

01:46:33 **Motion/Vote:** Rep. B. Bennett moved that **HB 342 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Wittich voted by proxy.

**EXHIBIT(sth27a07)**

01:47:37 **Motion:** Rep. Harris moved that **HB 342 DO PASS AS AMENDED**.

01:47:49 Rep. Funk  
 01:48:27 *Rep. Wittich arrives*  
 01:48:54 Rep. Schreiner  
 01:49:17 Chair Essmann

01:49:27 **Vote:** Motion carried 11-9 by roll call vote with Rep. Brown, Rep. Essmann, Rep. Harris, Rep. Knudsen, Rep. Lamm, Rep. Mandeville, Rep. McKamey, Rep. Mortensen and Rep. Wittich voting no.

**EXECUTIVE ACTION ON HB 372**

01:51:29 **Motion:** Rep. Harris moved that **HB 372 DO PASS**.

01:51:42 Rep. Garner  
 01:51:59 Rep. B. Bennett  
 01:52:30 Rep. Schreiner  
 01:52:44 Rep. Garner

01:53:02 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HJ 6**

01:53:52 Sheri Scurr, LSD

01:54:29 **Motion:** Rep. Harris moved that **HJ 6 DO PASS.**

01:54:58 Chair Essmann

01:55:44 **Vote:** Motion failed 7-13 by roll call vote with Rep. Brown, Rep. Greef, Rep. Harris, Rep. Knudsen, Rep. Lamm, Rep. Mortensen and Rep. Wittich voting aye.

01:57:18 **Motion/Vote:** Rep. Garner moved that **HJ 6 BE TABLED.** Motion carried unanimously by voice vote.

01:57:44 Chair Essmann, Recess

02:08:20 Chair Essmann, Reconvene

**EXECUTIVE ACTION ON HJ 8**

02:08:59 **Motion/Vote:** Rep. Garner moved that **HJ 8 DO PASS.** Motion carried 18-2 by voice vote with Rep. Lamm and Rep. McKamey voting no.

**EXECUTIVE ACTION ON SB 1**

02:11:02 **Motion:** Rep. Harris moved that **SB 1 BE CONCURRED IN.**

02:11:14 Sheri Scurr, LSD

02:11:33 Chair Essmann

02:11:43 **Vote:** Motion carried 16-4 by roll call vote with Rep. Brown, Rep. Lamm, Rep. Mortensen and Rep. Wittich voting no. Rep. McKamey will carry the bill.

**EXECUTIVE ACTION ON SB 16**

02:13:38 **Motion:** Rep. Harris moved that **SB 16 BE CONCURRED IN.**

02:13:45 Chair Essmann

02:13:49 Sheri Scurr, LSD

02:14:09 Chair Essmann

02:14:22 Rep. B. Bennett

02:14:54 Sheri Scurr, LSD

02:15:34 Rep. B. Bennett

02:17:01 **Vote:** Motion carried 19-1 by voice vote with Rep. Funk voting no. Rep. Bennett will carry the bill.

**EXECUTIVE ACTION ON SB 27**

02:17:37 Sher Scurr, LSD

02:18:06 **Motion/Vote:** Rep. Harris moved that **SB 27 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Garner will carry the bill.

**EXECUTIVE ACTION ON SB 65**

02:19:12 **Motion/Vote:** Rep. Harris moved that **SB 65 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Essmann will carry the bill.

**EXECUTIVE ACTION ON HB 58**

02:20:11 Sheri Scurr, LSD

02:20:38 **Motion:** Rep. Harris moved that **HB 58 DO PASS**.

02:21:34 Chair Essmann

02:20:52 Rep. Lamm

02:21:40 **Substitute Motion:** Rep. Wittich made a substitute motion that **HB 58 DO NOT PASS**

**Discussion:**

02:21:50 Rep. Schreiner  
02:22:49 Chair Essmann  
02:22:51 Rep. Mandeville  
02:23:04 Chair Essmann  
02:23:35 Rep. B. Bennett  
02:24:27 Chair Essmann  
02:25:16 Rep. Wittich  
02:26:22 Rep. Funk  
02:27:04 Rep. Wittich  
02:28:00 Rep. Schreiner  
02:28:11 Chair Essmann  
02:29:11 Rep. Schreiner  
02:29:23 Chair Essmann  
02:29:35 Rep. Wittich  
02:29:53 Rep. Schreiner  
02:30:01 Chair Essmann  
02:30:31 Rep. Funk  
02:31:23 Rep. Schreiner  
02:31:46 Chair Essmann  
02:32:00 Rep. Knudsen  
02:32:18 Chair Essmann

02:32:23     **Vote:** Motion carried 12-8 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting no.

02:33:43     Chair Essmann

**ADJOURNMENT**

Adjournment: 02:34:08

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Jennifer Petersen, Secretary

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Additional Documents:

**EXHIBIT([sth27aad.pdf](#))**